

Remarks:

Applicant has carefully studied the non-final Examiner's Action mailed 01/24/2005, having a shortened statutory period for response set to expire 04/24/2005, and all references cited therein. The amendment appearing above and these explanatory remarks are believed to be fully responsive to the Action. Accordingly, this important patent application is now believed to be in condition for allowance.

Applicant responds to the outstanding Action by centered headings that correspond to the centered headings employed by the Office, to ensure full response on the merits to each finding of the Office.

Claim Objections

Claim 1 stands objected to because it contains the functional language "adapted to" in line 7. The correction is made herewith.

Double Patenting

Applicant acknowledges the Office's recitation of the legal status of the non-statutory double patenting rejection.

Claim 1 stands rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. patent No. 6,740,124. A Terminal Disclaimer to Obviate a Double Patenting Rejection over a Prior Patent is attached hereto to overcome this ground of rejection.

Conclusion

If the Office is not fully persuaded as to the merits of Applicant's position, or if an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 507-8558 is requested. Applicant thanks the Office for its careful examination of this important patent application.

Very respectfully,

SMITH & HOPEN

By: 

Ronald E. Smith
Suite 220
15950 Bay Vista Drive
Clearwater, FL 33760
(727) 507-8558
Attorneys for Applicant

Dated: February 8, 2005

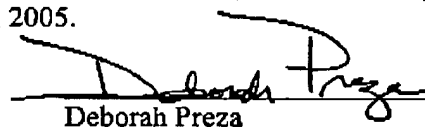
pc: Aldo A. Laghi, Ph.D.

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Amendment A, including Introductory Comments, Amendments to the Claims, a Terminal Disclaimer, and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 3738, Attn: Mr. Alvin J. Stewart, (703) 872-9302 on February 8, 2005.

Dated: February 8, 2005


Deborah Preza